

IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
SPARTANBURG DIVISION

United States of America,

v.

April Nicole Garrett,

Movant.

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7:07cr1463-1

**OPINION AND ORDER**

A document entitled “COMPLAINT Federal Prisoner”, referencing “ineffective counsel” has been submitted to the court for consideration. The Clerk of Court may file the pleading as of the date it was received for docketing, however, this action is not “in proper form.”

The Administrative Office of the United States Courts has provided approved forms for filing motions under 28 U.S.C. § 2255. The correct form for a motion under 28 U.S.C. § 2255 is AO form 243. The Clerk of Court is directed to provide Movant with the proper forms for filing the motion, and if Movant wishes to proceed with this action, he/she is directed to submit an amended motion on the court-approved form for filing a § 2255 motion.

Movant is given 20 days from the date of this order to submit his/her motion in proper form. If Movant fails to provide to the Clerk of Court a motion on the proper forms within the period prescribed in this order, the Office of the Clerk of Court shall forward the file in the above-captioned case to the United States District Judge assigned to this case for a final order.

**IT IS SO ORDERED.**

s/ Henry M. Herlong, Jr.  
United States District Judge

September 17, 2008  
Greenville, South Carolina